

1 2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

William J. Begley, et al

ORGANIC ELEMENT FOR ELECTROLUMINESCENT DEVICES

Serial No. 10/701,040

Filed 04 November 2003

Commissioner for Patents P.O. Box 1450 Alexandria, VA. 22313-1450

Sir:

Group Art Unit: 1774

Examiner: Dawn L. Garrett

I hereby certify that this correspondence is being deposited today with the United States Postal Service as first class mail in an envelope addressed to Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Deidra L. Mack

<u> august 2, 2005</u>

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION

The owner, Eastman Kodak Company of the entire interest in the instant application, hereby disclaims except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Nos. 10/700,894, 10/700,916 and 10/701,241. The owner hereby agrees that any patents so granted on the instant application shall be enforceable only for and during such period that it and any patents granted on the second applications are commonly owned. This agreement runs with any patents granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patents granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patents granted on the second applications, as shortened by any terminal disclaimer filed prior to the patent grant on the second applications, in the event that any patents granted on the second applications: expire for failure to pay a maintenance fee, are held unenforceable, are found invalid by a court of

Lie

competent jurisdiction, are statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, have all claims canceled by a reexamination certificate, are reissued, or are in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

X The undersigned is an attorney of record. (If this box is not checked do not use this form)

Date

Telephone: 585-477-2625 Facsimile: 585-477-1148 Arthur E. Kluegel
Attorney of Record
Registration No. 25,518

/dlm

X Please charge the fee to Eastman Kodak Company Deposit
Account 05-0225. (A duplicate copy of this request is enclosed)

If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.